

# EXHIBIT A

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15  
16 UNITED STATES DISTRICT COURT  
17 SOUTHERN DISTRICT OF CALIFORNIA

18 IN RE INCRETIN-BASED  
19 THERAPIES PRODUCTS LIABILITY  
20 LITIGATION

21 As to All Related and Member Cases  
22  
23  
24  
25

MDL No. 2452

Magistrate: Mitchell D. Dembin  
Judge: Anthony J. Battaglia

**DEFENDANT ELI LILLY AND  
COMPANY'S AMENDED  
OBJECTIONS AND  
RESPONSES TO PLAINTIFFS'  
GENERAL CAUSATION  
INTERROGATORIES**

1                   **RESPONSE:**

2                   Lilly objects to the term “related to” in this interrogatory as vague and  
3 ambiguous, particularly as to whether it refers to a causal relationship, and further  
4 objects to any characterization that adverse event reports can individually be used  
5 to assess whether a drug caused the adverse event. Lilly refers Plaintiffs to the  
6 procedures of its Global Patient Safety department listed in Appendix 3 to its  
7 Amended Objections and Responses to Plaintiffs’ General Causation Requests to  
8 Produce, and to the deposition testimony of John Fredenburg, which is available to  
9 Plaintiffs.

10  
11                   **INTERROGATORY NO. 24:**

12                   Identify all medical and/or scientific literature YOU are aware of,  
13 including studies, editorials and/or peer-reviewed articles, that relates to the  
14 association between BYETTA or any other GLP-1 agonist or DPP-4 inhibitor and  
15 pancreatitis and/or pancreatic cancer.

16                   **RESPONSE:**

17                   Lilly refers Plaintiffs to its objections and response to General  
18 Causation Request to Produce No. 45, which are incorporated as if set forth fully  
19 here.

20  
21                   **INTERROGATORY NO. 25:**

22                   Itemize and explain the criteria YOU use to determine whether  
23 BYETTA or any other GLP-1 agonist or DPP-4 inhibitor CAUSES and/or is  
24 capable of CAUSING pancreatic cancer, and identify the DOCUMENTS that list  
25 and/or explain those criteria.

26                   **RESPONSE:**

27                   To the extent this interrogatory seeks information about evaluation of  
28 individual adverse event reports regarding Byetta in the ordinary course, Lilly

1 refers Plaintiffs to the procedures of its Global Patient Safety department listed in  
2 Appendix 3 to its Amended Objections and Responses to Plaintiffs' General  
3 Causation Requests to Produce and to the deposition testimony of John Fredenburg,  
4 which is available to Plaintiffs. Lilly also refers Plaintiffs to the IND and NDA for  
5 Byetta® submitted to the FDA, previously produced to Plaintiffs through December  
6 28, 2009, see BY00000001 - BY00435050, and to the supplemental IND/NDA  
7 production by Amylin. Lilly also directs Plaintiffs to the previously produced  
8 Byetta Periodic Safety Update Reports (PSURs), at BY00354544 -BY00354720,  
9 BY00361407 - BY00361697, BY00364677 - BY00365031, BY00368455 -  
10 BY00368736, BY00372712 - BY00377032, BY00378123 - BY00382063,  
11 BY00383891 - BY00383989, BY00387699 - BY00387818, BY00412579 -  
12 BY00415581, LILLY01449666 - LILLY01451800, BY00437954 - BY00440386,  
13 BY00440399 - BY00442435, BY00442447 - BY00444523, BY00444535 -  
14 BY00446418, BY00446430 - BY00449028, and to the PSURs and Periodic  
15 Periodic Benefit-Risk Evaluation Reports (PBRERs) in the supplemental IND/NDA  
16 production from Amylin and the EMA production by Lilly at LILLY03105412 -  
17 LILLY03719971 and in the EMA files produced by Amylin. Lilly further refers  
18 Plaintiffs to the custodial files of Lilly employees produced to Plaintiffs, including  
19 certain custodians involved in analysis of the safety of Byetta, such as Jeffrey  
20 Ferguson, Daniel Braun, Richard Bump, Michael Cobas Meyer, Curtis Chang,  
21 Jennifer Brookfield, Richard Byrd and James Malone. Appendix 3 to Lilly's  
22 Amended Objections and Responses to Plaintiffs' General Causation Requests to  
23 Produce identifies the documents produced for these individuals by bates number.  
24 Plaintiffs are equally able as Lilly to search these files for documents Plaintiffs  
25 believe would be encompassed by this interrogatory.

26               Lilly objects to this interrogatory as premature to the extent it calls for  
27 an expert opinion, and states that it will provide expert disclosures in accordance  
28 with the timetable to be established by the Court. Lilly also objects to this

1 interrogatory to the extent it seeks information protected by the attorney-client  
2 privilege and/or work product doctrine. Lilly further objects this interrogatory to  
3 the extent it seeks information related to products other than BYETTA, which is the  
4 only product at issue in Plaintiffs' claims against Lilly. Discovery directed to Lilly  
5 regarding other compounds in the GLP-1 or DPP-4 classes is overbroad, unduly  
6 burdensome and not reasonably calculated to lead to discovery of admissible  
7 evidence.

8  
9 **INTERROGATORY NO. 26:**

10 Identify and describe all oral and/or written communications YOU  
11 have had internally regarding whether BYETTA CAUSES and/or is capable of  
12 CAUSING pancreatic cancer.

13 **RESPONSE:**

14 Lilly objects to this interrogatory overbroad, unduly burdensome, and  
15 not reasonably calculated to lead to competent evidence regarding general  
16 causation. As written, this interrogatory would require Lilly to list and describe  
17 every email, Post-It-Note, phone call, and hallway conversation that has ever  
18 occurred regarding whether Byetta causes or is capable of causing pancreatic  
19 cancer. The burden of attempting this impossible tasks is unreasonable, and far  
20 outweighs any benefit such a listing would provide. Lilly further objects to this  
21 Interrogatory to the extent it seeks information protected by the attorney-client  
22 privilege or work product doctrine.

23 Lilly has produced custodial files collected using search terms agreed  
24 upon with Plaintiffs for certain custodians involved in analysis of the safety of  
25 Byetta, including Jeff Ferguson, Daniel Braun, Richard Bump, Michael Cobas  
26 Meyer, Curtis Chang, Jennifer Brookfield, Richard Byrd and James Malone.  
27 Appendix 3 to Lilly's Amended Objections and Responses to Plaintiffs' General  
28 Causation Requests to Produce identifies the documents produced for these